

Doc. # 5243
ADOPTED 10/26/89

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

RESOLUTION

BE IT RESOLVED BY THE Boston Redevelopment Authority that an Order of Taking dated **OCT 26 1989** relating to portions of the CHARLESTOWN URBAN RENEWAL AREA, MASS. R-55, be executed and made a permanent part of these proceedings, a copy of which the Secretary shall cause to be recorded in the Office of the Registry of Deeds for the County of Suffolk.

A true copy

CERTIFICATE

I hereby certify that the following names constitute the entire membership of the Boston Redevelopment Authority:

Clarence J. Jones
Michael F. Donlan
Francis X. O'Brien

James K. Flaherty
Consuelo G. Thornell

A true copy

ATTEST:

Kaufman

Secretary of the Boston Redevelopment Authority

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G.L. c. 121B and its predecessor statute G.L. c.121, adopted and filed in the Suffolk County Registry of Deeds, Book 8069, page 113, an ORDER OF TAKING, dated September 15, 1966, concerning and describing the CHARLESTOWN URBAN RENEWAL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof and

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G.L. c.79, §40.

WHEREAS, the Authority is making this taking, which is confirmatory in nature, solely to cure and hence remove any cloud on the title to the property that may have arisen or if any there be.

NOW, THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c.121B and all other authority thereunto enabling and pursuant to the applicable provisions of said c.79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A, together with any and all easements and rights appurtenant thereto, including any trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said

property, except any and all easements of travel in any and all public streets, highways and public ways contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the provision of the said Chapter 79, as amended, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in the parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award (awarded in ANNEX B) at all times prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B, which ANNEX B is not to be recorded in the Registry of Deeds with the Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the office of the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have cause the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

DATED: **OCT 26 1989**

BOSTON REDEVELOPMENT AUTHORITY

By:

Caroline J. Jones
Michael A. Duber
Consuelo D. Howell
James H. [unclear]
Thomas A. [unclear]

ATTEST:

Karen Simonian
Secretary of the Boston Redevelopment Authority

Approved as to form:

Ralph F. Cahill
Ralph F. Cahill, Assistant General Counsel

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

CHARLESTOWN URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcels of land are taken by this Order of Taking:

PARCEL 1 (74 TREMONT STREET)

Beginning at the westerly corner of Tremont Street (formerly Jay Street) at land now or formerly of John Nason, and running:

- SOUTHEASTERLY on said Tremont Street, twenty-four and seven tenths (24.7') feet; thence running
- NORTHEASTERLY by land now or formerly of O'Donnell, forty-three and two tenths (43.2') feet; thence running
- NORTHWESTERLY five and nine twelfths (5 9/12') feet; thence again running
- NORTHEASTERLY sixteen and four tenths (16.4') feet; thence again running
- NORTHWESTERLY by land now or formerly of James Potts, twenty-three and eight tenths (23.8') feet; thence running
- SOUTHWESTERLY by said Nason's land sixty (60') feet more or less to the corner begun at on said Tremont Street.

PARCEL 2 (76 TREMONT STREET)

Beginning at a point on said Tremont Street about one hundred seventy-two (172') feet Northwesterly from Chelsea Street;

thence running Northwesterly on said Tremont Street twenty-five (25') feet;

thence running Northeasterly from said street about forty-two (42') and 2/10 feet to land late of O'Donnell;

thence turning Southeasterly by said land late of O'Donnell and land late of Holbrook twenty-five (25') feet;

thence running Southwesterly by land formerly of Adams about forty-three and 9/10 (43.9') feet to the point of beginning.

PARCEL 3 (78 TREMONT STREET)

- SOUTHWESTERLY by Tremont Street twenty-four (24') feet;
- NORTHWESTERLY by land now or formerly of George H.J. O'Brien forty-three and 50/100 (43.50') feet;
- NORTHEASTERLY by lands now or formerly of Patrick J. Martin, et al, and of Bertha A. Curzon, twenty-four (24') feet; and
- SOUTHEASTERLY by land now or formerly of George H. Dooling the line running in part through the middle of a wall forty-four and 52/100 (44.52') feet.

All of said boundaries are determined by the Court to be located as shown on a plan drawn by Anthony A. Braica, Engineer, dated May 16, 1931, as modified and approved by the Court, filed in the Land Registration Office, as Plan NO. 14804-A a copy of a portion of which is filed with Certificate of Title No. 29368.

The above-described land is subject to, and has the benefit of, such easements, if any, as were in force at date of original decree by reason of the existence of the partition wall on the southeasterly side thereof as shown on said plan.

All as shown on Transfer Certificate of Title No. 77174, recorded at the Land Registration Division, Suffolk County, Commonwealth of Massachusetts.

The name of the owner of the above parcels hereby taken is unknown.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

CHARLESTOWN URBAN RENEWAL AREA

AWARD OF DAMAGES

No awards are made with this Order of Taking.

BOSTON REDEVELOPMENT
AUTHORITY

Nov 8 1 06 PM '89

✓ 6 + 11

MEMORANDUM

OCTOBER 26, 1989

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: PAUL BARRETT, ASSISTANT DIRECTOR
ROBERT RUSH, DEPUTY DIRECTOR
HARBOR PLANNING AND DEVELOPMENT
RALPH CAHILL, ASSISTANT GENERAL COUNSEL

SUBJECT: CHARLESTOWN URBAN RENEWAL AREA, MASS R-55
ORDER OF TAKING (CONFIRMATORY IN NATURE)
PARCEL R-36

SUMMARY: MEMORANDUM REQUESTING AN ORDER OF TAKING (CONFIRMATORY
IN NATURE) TO CURE DEFECTS IN THE CHAIN OF TITLE

On April 6, 1989, the Boston Redevelopment Authority granted Final Designation of Parcel R-36, located at 74, 76 and 78 Tremont Street, in the Charlestown Urban Renewal Area, to Peter and Elizabeth Golden, to construct a single-family house.

Prior to closing, the attorneys representing the financing bank have requested an Order of Taking, confirmatory in nature, be made to cure potential minor defects in the title. This taking does not involve our acquiring the parcel nor any award of damages.

An appropriate vote follows:

VOTED: that the Boston Redevelopment Authority adopt and execute ~~an~~ Order of Taking for Parcel R-36, consisting of 74, 76 and 78 Tremont Street, in the Charlestown Urban Renewal Area.

Attached